

FRONTIER ADVOCATES

Navigating Public Policy for Rural Oregon
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SB 1576-4

Oregon Senate Judiciary Committee

Chair Prozanski, Vice Chair Thatcher and committee members:

Mike McArthur, Chair: Frontier Advocates.

Frontier Advocates is a partnership of four former county judges from east of the Deschutes River who all served as presidents of the Association of Oregon Counties.

We Oppose the -4 Amendment to HB 1576

The position of county judge and the county court structure is the original form of county government provided for by the Oregon Constitution. The County Judge/County Court system remains in six counties in Oregon, three counties exercising juvenile and probate jurisdiction, 3 others only probate.

Counties have the option to transfer those functions to the state circuit court. Transfer of probate requires state statute change. A county judge may refer any case before them to circuit court. To date, there has never been a transfer of authority back to the back to county. Therefor this is an important decision for a county and community to consider.

This is also a matter of concern for the state judiciary and legislature as any transfer of cases to state court will affect the work load of state circuit court judges and well as the costs of indigent defense and investigations. Because the counties

affected are some the lowest populated counties in the state, circuit court judges often have to travel long distances to hear cases in those counties.

Therefore it seems prudent that sufficient thought and planning go into the decision to transfer jurisdiction and that the citizens be engaged in deciding the type of county government structure they prefer.

The -4 amendment allows a county court to short cut that process and enact irreversible decisions with unforeseen consequences.

We also believe that if such a change is made in county government structure, that it not be made during the term of a county judge elected to do the job as it stood when they were elected.

There should be sufficient public process around the decision to change county government structure including a referral to the voters or a sufficient convening of the community to try to achieve some consensus.

We see no compelling reason that this measure should have an emergency clause.